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WACHOVIA SECURITIES, LLC and MARK WIELAND
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 VIOLETTA ETTARE,) Case No.: C 07 4429 JW (PVT)
13)
Plaintiff,)
14 vs.) **STIPULATION TO CONTINUE CASE**
15) **MANAGEMENT CONFERENCE;**
JOSEPH E. BARATTA, an individual,) **[PROPOSED] ORDER CONTINUING**
16 TBIG FINANCIAL SERVICES, INC., form) **CASE MANAGEMENT CONFERENCE**
of business unknown, WACHOVIA)
17 SECURITIES, LLC, a Delaware Limited)
Liability Company, MARK WIELAND, an)
18 individual, and DOES 1-25,)
19 Defendants.)
20)
21)

22 WHEREAS, Plaintiff VIOLETTA ETTARE ("Plaintiff") filed a Motion to
23 Remand with this Court on September 25, 2007;

24 WHEREAS, Defendants JOSEPH E. BARATTA, TBIG FINANCIAL
25 SERVICES, INC., WACHOVIA SECURITIES, LLC, and MARK WIELAND
26 ("Defendants") opposed Plaintiff's Motion to Remand on October 29, 2007;

27 WHEREAS, the Motion to Remand is set to be heard in this Court on
28 December 3, 2007;

1 WHEREAS, a Case Management Conference is currently scheduled for
2 December 3, 2007 before this Court;

3 WHEREAS, a Joint Case Management Statement is currently due to the
4 Court on November 26, 2007;


5 WHEREAS, Plaintiff and Defendants, by and through their counsel, have
6 agreed to continue the Case Management Conference, the Joint Case Management
7 Statement deadline and the disclosure requirements under Federal Rule 26; and

8 WHEREAS, Local Rule 16-2 of the United States District Court Northern
9 District of California provides that the parties may stipulate to continue the Case
10 Management Conference but that the Court must approve such stipulation;

11 IT IS HEREBY STIPULATED by and between Plaintiff and Defendants,
12 through their respective counsel of record, that in light of the pending Motion to Remand
13 and the uncertainty regarding the proper forum for this matter, that the Case
14 Management Conference currently scheduled for December 3, 2007, the Joint Case
15 Management Statement currently due November 26, 2007, and the initial disclosure
16 requirements under Federal Rule 26, shall be continued and the Court will set new
17 dates for the Case Management Conference and the Joint Case Management Statement
18 at the hearing on the Motion to Remand or in the Court's order on the Motion to
19 Remand. Nothing contained herein shall be deemed a waiver of any parties' rights.


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21 IT IS SO STIPULATED.

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23 DATED: 11/9/, 2007


CHRISTOPHER C. COOKE
STEPHEN S. WU
COOKE KOBRICK & WU LLP
Attorneys for Plaintiff
VIOLETTA ETTARE

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27 [SIGNATURES CONTINUED ON NEXT PAGE]
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2 DATED: Nov 8, 2007


GILBERT R. SEROTA
HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
Attorneys for Defendants
JOSEPH E. BARATTA and TBIG
FINANCIAL SERVICES, INC.

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9 DATED: _____, 2007

TERRY ROSS
AUDETTE PAUL MORALES
KEESAL, YOUNG & LOGAN
Attorneys for Defendants
WACHOVIA SECURITIES, LLC and
MARK WIELAND

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14 **ORDER**

15 Based on the stipulation of the parties and good cause appearing, the Case
16 Management Conference currently scheduled for December 3, 2007, the deadline for the
17 Joint Case Management Statement, which is currently November 26, 2007, and the
18 initial disclosure requirements under Federal Rule 26 are continued. The Case
19 Management Conference and the deadline for the Joint Case Management Statement
20 are continued to dates the Court will select at the hearing on the Motion to Remand or in
21 the Court's order on the Motion to Remand.
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23
24 HONORABLE JAMES WARE
25 UNITED STATES DISTRICT COURT JUDGE
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1
2 DATED: _____, 2007

3 GILBERT R. SEROTA
4 HOWARD RICE NEMEROVSKI CANADY
5 FALK & RABKIN
6 Attorneys for Defendants
7 JOSEPH E. BARATTA and TBIG
8 FINANCIAL SERVICES, INC.

9 DATED: November 9, 2007

10 TERRY ROSS
11 AUDETTE PAUL MORALES
12 KEESAL, YOUNG & LOGAN
13 Attorneys for Defendants
14 WACHOVIA SECURITIES, LLC and
15 MARK WIELAND

16 **ORDER**

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23 the Court's order on the Motion to Remand.

24 HONORABLE JAMES WARE
25 UNITED STATES DISTRICT COURT JUDGE
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